

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6821

ROBERT JERRY SMITH, JR.,

Plaintiff - Appellant,

versus

DOUG CATOE, Former Director; RICKIE HARRISON, Warden; ROBIN CHAVIS, Associate Warden; STANLEY BURTT, Associate Warden; JIMMY SLIGH; NURSE LOYD; SOLOMON SANYO, Officer; OFFICER WAZLT; OFFICER ADAMSON; AMOS, Investigator; ROBINSON, Investigator; MIKE WILLIAMS, Maintenance Supervisor; MIKE MURPHY, Maintenance Supervisor; LIEUTENANT DAVIS; CHRISTOPHER ROBINSON, Former Maintenance Supervisor; D. COOK, Head Nurse; NURSE STEIN; TRACY TAYLOR, former Clinical Council; M. S. TAYLOR, Officer; B. ROBINSON, Officer; DEBRA WISE; MICHAEL J. BEINOR, MD; JOHN D. VOLMER, Administrator of South Carolina Board Medical Exam; OFFICER MANDIEZ, a/k/a Jones, Officer; NURSE SHUMPERT, Nurse Practitioner; NURSE GARDNER; OFFICER SHROPSHIRE; JORDAN; JENNIGN; PERRY, former IGP; WAYNE PAGE, Maintenance Supervisor,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. Henry F. Floyd, District Judge. (CA-02-1046-4-26-BH)

Submitted: August 20, 2004

Decided: September 21, 2004

Before NIEMEYER, WILLIAMS, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert Jerry Smith, Jr., Appellant Pro Se. James E. Parham, Jr.,
Irmo, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Robert Jerry Smith, Jr., appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his 42 U.S.C. § 1983 (2000) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Smith v. Catoe, No. CA-02-1046-4-26-BH (D.S.C. Apr. 5, 2004). Because a certificate of appealability is not required to appeal from the district court's order denying relief in a § 1983 action, we deny Smith's motion for a certificate of appealability as unnecessary. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED